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California Customer Choice Project Team  
Policy and Planning Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[customerchoice@cpuc.ca.gov](mailto:customerchoice@cpuc.ca.gov)

RE: COMMENTS ON DRAFT GAP ANALYSIS AND CHOICE ACTION

Dear California Customer Choice Project Team:

Thank you for the opportunity to submit comments on the Draft Gap Analysis and Choice Action document dated October 23, 2018. **We support the recommendation under the Data Access topic under the Consumer Protection category for further analysis and stakeholder input to develop a comprehensive list of issues.** Specifically, we encourage the CPUC to engage local government entities to understand the scope of needs and their multiple use cases including greenhouse gas (GHG) reporting, planning, and program design and implementation. We respectfully request that local government stakeholders be engaged in a way that recognizes local government staffing budget and bandwidth limitations. Previous opportunities for input on data access may have not received adequate representation from local governments due to their inability to monitor and engage in extensive proceedings.

We affirm the draft report's description of the local government challenges. To further support this description, we offer more detail on the GHG inventory problem. The aggregation thresholds defined in D.14-05-016 (and established in previous rulemaking) results in a majority of jurisdictions (at least in PG&E territory) lacking data necessary to comply with standard GHG reporting protocols. Local governments are responsible for conducting GHG inventories to comply with state requirements and international agreements, and to monitor their climate action progress over time:

- **State compliance:** CEQA analysis of general plans must demonstrate alignment with State GHG reduction targets. Completing this analysis requires conducting a GHG inventory for the baseline year or current conditions.
- **International agreements:** The Global Covenant of Mayors for Climate and Energy and similar agreements require local governments to conduct GHG inventories following specific protocols.
- **Monitoring progress:** As does the state, cities set GHG reduction targets (e.g. 15% below 2005 by 2020), and comprehensive and consistent inventories year-to-year are needed to evaluate progress against those targets.

The primary protocols recognized for local government GHG inventories are the U.S. Community Protocol as specified in the California Air Resources Board's 2017 Scoping Plan, and the Global Protocol for Communities. Both of these protocols require **public reporting of energy usage by fuel (electricity, gas) by sector (residential, commercial, industrial, agricultural)**. The data must be publicly reportable, accurate, complete, and consistently structured from year to year. Currently, jurisdictions are unable to obtain electricity and/or gas usage aggregated at the sector level. PG&E's response to Energy Division data request dated June 16, 2017 details the prevalence of the problem.

D.14-05-016 attempted to address the local government use case by creating more lenient aggregation thresholds and making data available through the Energy Data Request Portal (EDRP). However, local governments accessing data through the EDRP must sign a terms of service that restricts the public reporting of the data obtained, which means the data is not usable for GHG inventory purposes. D.14-05-016 also states that "The Commission will monitor the progress of this effort and may, at a future date, re-evaluate these guidelines. The Energy Data Access Committee... may review and recommend to the Commission revisions to these guidelines." The Energy Data Access Committee discussed this problem extensively over two years (2015-2017), and Energy Division staff has proposed several options toward resolution. However, attempts have failed to gain sufficient EDAC member support to move forward.

We therefore support the CPUC further analyzing this gap and inviting stakeholder input.

Sincerely,



Jennifer West  
Program Manager